

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NESPRESSO USA, INC.,

Plaintiff,

-against-

WILLIAMS-SONOMA, INC.,

Defendant.

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KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE

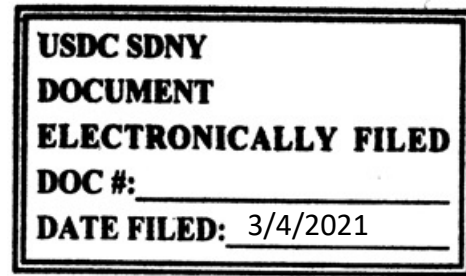
Consistent with the telephonic case management conference held today – March 4, 2021 – in the above-captioned matter, the parties are directed as follows:

Extension of Discovery:

The Court hereby adopts the 45-day extension to the discovery schedule jointly proposed by the parties. Accordingly, the deadline for fact discovery in this case is **May 12, 2021** and the deadline for expert discovery is **August 6, 2021**. Further, the Court adopts all additional deadlines as set forth in the table annexed as Exhibit A to the parties' letter submission at ECF No. 137.

Discovery Rulings:

Williams-Sonoma is directed to log its common interest agreement with Belmoca in its privilege log to the extent it claims that the agreement itself is privileged. The agreement should also be included in the representative sample of Belmoca documents being withheld on the ground of privilege specified at ECF No. 104. Consistent with that prior order, Defendant shall email the agreement, along with the rest of the representative sampling, to the Court for



ORDER

1:19-cv-4223 (LAP) (KHP)

in camera review. Accordingly, the Court will not require Williams-Sonoma to produce the common interest agreement at this time.

Further, the Court denies, without prejudice, Williams-Sonoma's request to compel the production of documents showing why Nespresso included safety precautions and warranty language with its coffee machines that specify the use of Nespresso-branded capsules in those machines. For the reasons noted at today's conference, this request is not proportional to the needs of the case at this stage of the proceedings. Instead, Williams-Sonoma will be permitted to ask questions about the relevant safety/warranty language during the appropriate 30(b)(6) deposition. If, based on that deposition, additional narrowly tailored requests for these documents proves necessary, Williams-Sonoma may make those requests at that time.

Motion for the Issuance of Letters of Request:

By March 8, 2021 Williams-Sonoma may submit a supplemental letter motion amending its motion at ECF No. 127, as described at today's conference, concerning its recent findings with regard to the @competition email account. To the extent necessary, Nespresso may file a response to this supplemental letter motion by March 10, 2021.

SO ORDERED.

Dated: March 4, 2021
New York, New York



KATHARINE H. PARKER
United States Magistrate Judge